

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA	)	
	)	Case No. 3:08cr30001-001
vs.	)	EDTN Mag. No. 1-08-mj-120
	)	
TERRY BURTON BUTTS	)	JUDGE CARTER

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on May 13, 2008, in accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure for an initial appearance of the defendant on the Indictment and Warrant for Arrest out of the Western District of Arkansas. Those present for the hearing included:

- (1) AUSA Terra Bay for the USA.<sup>1</sup>
- (2) The defendant, TERRY BURTON BUTTS.
- (3) Attorney Mary Ellen Coleman for defendant.<sup>2</sup>
- (4) Deputy Clerk Pam Scott.
- (5) Court Reporter Elizabeth Coffey.

After being sworn in due form of law, the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and he qualified for the appointment of an attorney to represent him at government expense. Attorney Mary Ellen Coleman of Federal Defender Services was appointed to represent the defendant. It was ascertained defendant had been provided with a copy of the Indictment and Warrant and had the opportunity of reviewing those documents with Atty. Coleman. It was determined the defendant was capable of being able to read and understand the copy of the aforesaid documents he had been provided.

AUSA Bay stated the government did not oppose defendant's release on a \$20,000 bond pending an appearance before U.S. Magistrate Judge James R. Marschewski in the Western District of Arkansas.

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<sup>1</sup>AUSA Terra Bay, Suite 301-1110 Market Street, Chattanooga, Tennessee 37402. Telephone: [423] 752-5140. Fax: [423] 752-5101.

<sup>2</sup> Attorney Mary Ellen Coleman, Federal Defender Services, 707 Georgia Avenue, Suite 203, Chattanooga, Tennessee 37402. Telephone: [423] 756-4349. Fax: [423] 756-4345.

Findings

- (1) The defendant waived his Rule 5 identity hearing.

Conclusions

It is ORDERED:

- (1) The defendant shall be RELEASED ON A \$20,000 BOND pending his appearance in the prosecuting district. Conditions of bond are set out in separate bond documents.

- (2) The defendant shall report to the U.S. District Court in the Western District of Arkansas at Fayetteville on **Thursday, May 29, 2008, at 2:00 p.m. CST.**

ENTER.

Dated: May 15, 2008

*s/William B. Mitchell Carter*

UNITED STATES MAGISTRATE JUDGE